

SEPA IWG Teleconference Summary

Thursday, August 28, 9:00 a.m. – 4:45 p.m.

Attendance

Co-Leads:

Jim Lopez	King County
Dick Settle	Foster Pepper
Jeannie Summerhays	Washington Department of Ecology

Members and Alternates:

Jayson Antonoff	City of Seattle, Dept of Planning & Development
Gregg Carrington	Chelan PUD
Anthony Chavez	Weyerhaeuser
Sean Cryan	Mithun
Jennifer Dold	Bricklin, Newman, Dold, LLP
Kari-lynn Frank	National Association of Industrial and Office Properties
Hilary Franz	Bainbridge City Council
Traci Goodwin*	Port of Seattle
Valerie Grigg Devis	Community, Trade, and Economic Development
Dan McGrady	Vulcan
T.C. Richmond	GordenDerr Attorneys at Law
Michael Robinson-Dorn	UW Law School
Tim Trohimovich	Futurewise
Tayloe Washburn	Foster Pepper
Clay White	Stevens County
Megan White	Washington Department of Transportation
Jim Wilder	Jones & Stokes

**Alternate for John Mohr, Port of Everett*

Absent:

Connie Krueger	City of Leavenworth
Mark Kulaas	Douglas County
Bill Messenger	Washington Labor Council
John Mohr	Port of Everett
David Troutt	Nisqually Tribe
Perry Weinberg	Sound Transit

Others:

Tom Beierle	Ross & Associates Environmental Consulting, Ltd.
Patty Betts	Washington Department of Natural Resources
Cliff Portman	City of Seattle
Peter Drakos	Washington Department of Transportation
Susan Drummond	Foster Pepper
Fred Greef	Washington Department of Natural Resources
Simon Kihia	Washington Department of Natural Resources
Tim Krause	(Organization not specified)

Matt Kuharic	King County
Karin Landsberg	Washington Department of Transportation
Brendan McFarland	Washington Department of Ecology
Jonathan Olds	Washington Department of Transportation, Ferries
Carry Porter	Washington Attorney General's Office
Harry Reinert	King County
Annie Szvetcz	Washington Department of Ecology
Carol Lee Roalkvam	Washington Department of Transportation
Laura J. Watson	Washington Attorney General's Office

Background Documents:

Available online at http://www.ecy.wa.gov/climatechange/2008CAT_iwg_sepa.htm

Session: “What do we measure?” Emissions Sources and Test Cases

- 1a “Considering What to Measure” PowerPoint
- 1b “Sources of GHG Emissions that SEPA Can Address” Table
- 1c. “What Emissions Source to Measure?” Criteria

Session: Measurement Tools

- 2a Measurement tools matrix

Session: SEPA Mitigation

- 3a SEPA Mitigation PowerPoint
- 3b “Mitigation Under SEPA: A Short Overview”
- 3c Mitigation strategy matrix

Session: Threshold Determination: Options for Significance Standards

- 4a Threshold Determination PowerPoint
- 4b “Test Case Worksheet for Significance Threshold Standard” table (Note: discussion on Thursday will focus on two test cases described in the table: 1) County Comprehensive Plan and 2) Small Suburban Subdivision)
- 4c “Appendix A – Options for Significance Standard
- 4d “(Draft) Sub-options for Addressing Significance in Statewide Standard, Framework, Safe Harbor, and Procedural Options”
- Significance Threshold Approaches PowerPoint slide

Session: Overview of Current Bucket 3 “Leveraging SEPA” Ideas

- 5a Bucket 3 PowerPoint

Agenda:

What do We Measure? Emission Sources and Test Cases

- Present test cases and lessons learned
- Discuss which greenhouse gas emissions sources are essential to measure for projects and non-projects.
- *Group Direction:* “Sense of the group” on which emission sources are most essential

Measurement Tools

- Review and discuss available measurement tools and gaps
- Discuss whether to recommend development of new tools and approaches

When do We Measure?

- Introduce question of when and how measurement occurs at various stages of the SEPA process (to be addressed more fully at a future meeting).

SEPA Mitigation

- Review mitigation under SEPA
- Review greenhouse gas mitigation options for various emission sources
- Identify and discuss key mitigation questions for future SEPA IWG work

Threshold Determination: Options for Significance Standards

- Review and discuss options for significance standards
- *Group Direction:* If possible, identify “sense of the group” regarding which approaches are most feasible and desirable

Overview of Current Bucket 3 “Leveraging SEPA” Ideas**Discussion Items and Key Issues:**

1. Welcome and Introductions
 - 1.1. Tom Beierle welcomed members, technical staff and the public to the meeting and invited those in attendance to introduce themselves.
 - 1.2. Tom reviewed the meeting objectives and agenda. He said that because the IWG is moving from information collection to policy development, he will emphasize participation of IWG members during the meeting. IWG members will be called on first and will be directly involved in any direction setting, straw polls and decision making.
 - 1.3. The Co-leads thanked the group for its progress to date, and noted that the process is on track as the IWG approaches its final stage.
2. “What do We Measure?”: Emissions Sources and Test Cases
 - 2.1. Tom stated that the group has identified a manageable master list of emission sources, developed a set of criteria for thinking about “what to measure”, and conducted test cases to identify what to measure in specific situations. He said that the current session would focus on what sources make sense to measure for various types of projects and non-projects so that the IWG can contribute to guidance for lead agencies and inform discussions about the content of the checklist.
 - 2.2. Jim Wilder gave a presentation of “Sources of Greenhouse Gas Emissions under SEPA: Considering What to Measure,” with assistance by subgroup members that conducted the test cases.
 - 2.2.1. The criteria for considering what emission sources to measure were identified.
 - 2.2.2. The four test cases described were a county comprehensive plan, a transportation project for widening a county road, a timber sale on 75 acres, and new construction of a big box store. A list of direct and indirect emission sources were considered in each case.
 - 2.2.3. The group discussed how far in the life cycle of a project the proponent should be responsible. For example, including off-site end-use emissions from use of the proponent’s products sold to others (Indirect Emissions #9) was considered too broad an approach to measurement by some members of the group.
 - 2.2.4. Zoning changes and land use requirements, as well as transportation impacts, were generally included in the test cases. It was assumed that a well-funded county would have the tools to calculate emissions from green building, compact development and other policies. The group discussed how to implement the measurement tools in

counties that are poorly funded or less populous, and whether these standards would be implemented at the project or at the planning stage.

- 2.3. There was a generally sense that the sixteen emission sources identified thus far were logical and could be tailored to fit particular projects or plans. Discussion of test cases helped build understanding of the complexity of actions considered under SEPA and how different sources may be more or less relevant to them. (The analysis of test cases also identified that measurement tools don't exist for some types of sources and actions, an issue taken up in more detail in the next session.)
 - 2.4. Rather than identifying a prescriptive list of sources to measure in all cases, the group focused on what kind of guidance should be developed to help lead agencies and proponents of proposals make pragmatic decisions about what sources to measure for a range of projects and non-projects. It was suggested that existing resources, such as databases on emissions from typical projects and ISO standards, should be included in guidance. Some members suggested including worksheets that would provide a clear set of questions as a compliment to the checklist and would guide proponents through the list of direct and indirect emissions to measure.
3. Measurement Tools
- 3.1. Sean Cryan reviewed a table of measurement tools that was developed by the tools subgroup. The subgroup identified a need for more simple tools for vehicle miles traveled forecasting for small individual projects, small sub-region and large regional projects.
 - 3.2. The Co-leads reported that members of the tools subgroup had a conference call with CTED staff to coordinate on tools development. The SEPA IWG tools work will feed into the CTED tools work (ESSB 6580), which is due to the legislature by June 2009. The SEPA IWG will think about how the conclusions it is drawing can feed into the CTED work.
 - 3.3. Members discussed whether approaches to measuring "avoided emissions" would be included in the list of tools. A member suggested that avoided emissions could be calculated by 1) measuring baseline conditions, 2) measuring the future with the project, and 3) measuring the future without the project. A member suggested that providing for avoided emissions in the SEPA process would be an incentive for people to create the needed tools and that the group should not wait for the tool before tackling policy questions about avoided emissions.
 - 3.4. The group discussed the tool developed by King County to measure emissions. The tool is based on a simple approach to projects and focuses on urban commercial development.
 - 3.5. A member suggested that the group base emission standards on averages within a geographical area rather than statewide averages to accommodate differences between urban and rural areas.
 - 3.6. The group listed several ideas to fill gaps in measurement and discussed what type of guidance on measurement should be prepared. One member advised that we need to 1) maximize the value of the dollars spent, 2) look at what we reasonably have control over, and 3) where there is a question about our ability to adequately measure that we allow for qualitative assessment while tools are under development. Other members asked that we set some kind of an overall goal for SEPA lead agencies regarding measurement, answering "what are we trying to do?"
 - 3.7. The group discussed tools for measuring mitigation. King County is currently evaluating tools for measuring mitigation strategies. A member suggested that the group consider the modeling tool that the city of Portland, Oregon is using.
 - 3.8. A technical team member announced that the Washington State Department of Transportation and the Thurston County Regional Planning Council are working with the Federal Highway Administration to evaluate tools that would help local governments forecast greenhouse gas

- emissions from land use planning strategies and forecast emissions from transportation planning strategies.
- 3.9. The tools subgroup will work to develop a recommendation about the development of easy to use tools that can be used to measure key types of emissions sources. Draft recommendation language will be circulated to the full IWG for comment.
4. “When do We Measure?”
- 4.1. Dick Settle introduced the topic of “When do we Measure?” by describing various stages in the SEPA process where measurement occurs. For example, analysis takes place at the threshold determination stage but also during an EIS.
- 4.2. A member suggested that to balance the need for detailed analysis and the need for efficiency and incentives, lead agencies—rather than project proponents—could do required measurement. It was suggested that this measurement could occur “upstream” at the planning rather than project level .
5. SEPA Mitigation
- 5.1. Laura Watson gave a presentation on mitigation under SEPA, including information on voluntary and mandatory mitigation, mitigation strategies for certain types of emissions sources, and questions for IWG consideration.
- 5.2. The group considered two main questions on the table. First, the type of mitigation resources to recommend on September 30th and second, the amount of guidance that would be provided for mitigation.
- 5.3. A member suggested that the group focus first on the MDNS process as a priority, since it provides one of the largest mitigation incentives in SEPA.
- 5.4. It was suggested that mitigation guidance include information on cost and cost-savings for various strategies.
- 5.5. The IWG will make it clear that the list of mitigation strategies is not exhaustive and will be revised over time.
- 5.6. The group discussed the prioritization of mitigation strategies, such as local verses non-local mitigation and offsets. Some members commented that local mitigation projects should have the highest priority since they are easier to quantify and show results “on the ground.” Other members commented that since climate change is a global issue the location of the mitigation project does not matter.
- 5.7. A member suggested that protection from litigation is a priority for the IWG and that the mitigation options list should provide enough clarity (e.g., through statute, rule or guidance) to avoid or limit litigation.
- 5.8. Another member suggested that transfer of development rights should be included in the mitigation discussion.
6. Threshold Determination: Options for Significance Standards
- 6.1. Sean Cryan and Hilary Franz gave a presentation on options for significance standards for threshold determination. They illustrated the options with case studies for a county comprehensive plan and a small suburban subdivision.
- 6.2. The IWG members discussed the difference between using a zero and a non-zero threshold, with the “sense of the group” tending toward a non-zero threshold.
- 6.3. Under non-zero thresholds, discussion centered on the advantages or disadvantages of a percentage-based threshold or a volume-based threshold. In a “straw poll,” nine members indicated that they favored a percentage-based approach at this point, two members said they favored a volume-based approach, and the two remaining members present said they had not

yet decided because there was not sufficient information to do so. Eight members also said they favored an alternative approach to getting a Determination of Non-significance through certain types of “qualitative actions,” and no members said they were against such an approach.

- 6.4. It was noted that SEPA has not ever included specific thresholds on other elements of the environment. Some members noted that setting too high a threshold may call into question existing SEPA categorical exemptions.
 - 6.5. As a path forward, participants suggested evaluating how percentage-based approaches and volume-based approaches would work in practice for a set of test cases. Some participants also said it would be helpful to have greater clarity on how to link significance standards to the state greenhouse gas emissions reduction goals.
7. Overview of Current Bucket 3 “Leveraging SEPA” Ideas
 - 7.1. Kari-Lynn Frank gave a presentation on the “Leveraging SEPA” subgroup work, which categorized incentives into expanded exemptions, upfront SEPA, funding mitigation and disincentives. She asked the group to email her their ideas for next steps in this area. This area will be discussed further at the IWG’s September 9 teleconference.
 8. Public Comments
 - 8.1. There were no public comments.
 9. Meeting Wrap up and Next Steps
 - ▶ The IWG discussed providing the following “products” for the CAT after September 30th:
 - The “What do we Measure” subgroup will provide a list of ghg emissions sources, including examples; test cases; and an initial list of criteria for making “pragmatic” choices about what to measure. The IWG will recommend that this information be incorporated into guidance on implementing SEPA and climate.
 - The measurement tools subgroup will provide a tools matrix showing available tools and the applicability/characteristics as well as a recommendation for the development of key easy to use tools.
 - The threshold determination subgroup will provide a recommendation on the preferred approach (or approaches) to significance standards along with descriptive material about each approach.
 - The mitigation subgroup will provide a list of mitigation strategies linked to greenhouse gas emissions sources.
 - The “Leveraging SEPA” subgroup will provide a list of ideas for incentives and disincentives, possibly focusing on a sub-set of the most promising approaches.
 - The subgroup on vulnerability and adaptation suggested that these topics be included in the SEPA checklist.

Next Meeting

The next SEPA IWG meeting will be a teleconference on September 9th from 10:00 a.m. to 12:00 p.m.